

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

VIRGINIA COALITION FOR IMMIGRANT  
RIGHTS; LEAGUE OF WOMEN VOTERS  
OF VIRGINIA; LEAGUE OF WOMEN  
VOTERS OF VIRGINIA EDUCATION  
FUND; AFRICAN COMMUNITIES  
TOGETHER,

*Plaintiffs,*

v.

SUSAN BEALS, in her official capacity as  
Virginia Commissioner of Elections; JOHN  
O'BANNON, in his official capacity as  
Chairman of the State Board of Elections;  
ROSALYN R. DANCE, in her official capacity  
as Vice-Chairman of the State Board of  
Elections; GEORGIA ALVIS-LONG, in her  
official capacity as Secretary of the State Board  
of Elections; DONALD W. MERRICKS and  
MATTHEW WEINSTEIN, in their official  
capacities as members of the State Board of  
Elections; and JASON MIYARES, in his  
official capacity as Virginia Attorney General,

*Defendants.*

Case No. 1:24-cv-01778

Judge Patricia Tolliver Giles

**[PROPOSED] ORDER GRANTING PRELIMINARY INJUNCTION MOTION**

The Court, having read and considered the papers in support of and in opposition to Plaintiffs' Emergency Motion for a Preliminary Injunction, finds that Plaintiffs have satisfied the requirements for preliminary injunctive relief.

Accordingly,

IT IS HEREBY ORDERED THAT:

Plaintiff's Emergency Motion for a Preliminary Injunction is GRANTED.

IT IS FURTHER ORDERED THAT:

- (a) All Defendants are preliminarily enjoined from implementing the Purge Program or cancelling any voter's registration as part of the Purge Program or on the basis of failing to respond to a notice letter issued as a result of the implementation of the Purge Program;<sup>1</sup>
- (b) Defendants Beals and State Board of Election Members shall instruct all Virginia county registrars to place back on the rolls in active status any persons whose voter registration was cancelled or marked inactive as part of the Purge Program, except for any voter who responded to a notice letter by affirming that they are not a U.S. citizen, and instruct that all impacted voters should be allowed to cast regular ballots if they appear at the polls so long as they are otherwise eligible to do so;
- (c) Defendants Beals and State Board of Election Members shall instruct all Virginia county registrars to send letters to affected voters retracting the notice letters already sent out on the basis of the Purge Program;
- (d) All Defendants shall take all such steps and instruct Virginia county registrars to take all such steps as are necessary to alert the public and all individuals who were sent notice letters as a result of the implementation of the Purge Program that the notice letters sent pursuant to the Purge Program are being rescinded, that all eligible voters whose voter registration was cancelled or marked inactive due to the Purge Program may vote in the November 2024 general election, and that all eligible voters whose voter registration was cancelled or marked inactive due to the Purge Program are on the voter rolls and need not re-register to vote;
- (e) Defendants Beals and State Board of Election Members shall retract all referrals made to Virginia law enforcement for investigation or prosecution of individuals made based on the Purge Program;
- (f) All Defendants shall take all such steps as are necessary and instruct Virginia county registrars to take all such steps as are necessary to alert the public and

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<sup>1</sup> For purposes of this Order, "Purge Program" means the program under which Defendants have systematically removed Virginia registered voters from its voter registration list on the purported basis of noncitizenship, and includes implementation of Va. Code Ann. § 24.2-427(C).

all individuals whose voter registration was cancelled or marked inactive due to the Purge Program that no voter will be criminally investigated or prosecuted on the basis of the Purge Program, absent specific, individualized information that they have violated a law;

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United States District Judge

Date: October\_\_\_\_\_, 2024

### **CERTIFICATE OF SERVICE**

I certify that on October 15, 2024, I electronically filed the above document with the Clerk of Court using the ECF system, which will provide electronic copies to any counsel of record. Plaintiffs' Counsel will also send courtesy copies to attorneys at the Virginia Attorney General's Office who have met with Plaintiffs' counsel regarding this matter.

/s/ Shanna Ports  
Shanna Ports